

Appl. No.: 10/065,996  
Amdt. dated February 2, 2006  
Reply to Office Action of October 17, 2005

### ***Remarks/Arguments***

Claims 1-28 are pending in the application. The Applicant gratefully acknowledges the Examiner's allowance of claims 1-19 and 28. Claims 21-23 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 20 and 24-27 were rejected and remain for consideration by the Examiner.

Claims 20 and 24-27 are canceled. Claim 21 is amended to address the Examiner's objection, being rewritten in independent form including all of the limitations of the base claim (claim 20). Claims 22 and 23, also objected to by the Examiner, depend from claim 21. The Applicant submits that claims 21-23 are now allowable.

The Applicant wishes to note that the Examiner's basis for rejecting Applicant's claims under § 103 by asserting Hansson (US Patent No. 6,891,946) appears to be 35 U.S.C. § 102(e). Section 102(e) applies when the invention is described by "a patent granted on an application by another filed in the United States before the invention by the applicant for patent . . . ." The Applicant's invention and Hansson presumptively fall within 35 U.S.C. § 103(c)(1), as they "were, at the time the invention was made, . . . subject to an obligation of assignment to the same person," which was Sony Ericsson Mobile Communications AB. Accordingly, Hansson cannot be cited as art against Applicant's invention.

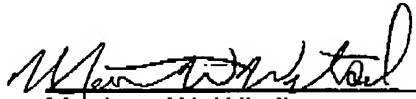
If the Examiner has any questions about the present Reply, a telephone interview is respectfully requested.

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As the rejections and objections entered by the Examiner have been addressed by amendment, reconsideration and allowance of claims 21-23, and passage of these claims to issue along with previously allowed claims 1-19 and 28, is hereby respectfully requested.

Respectfully submitted,

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